



JUL 28 2004

Docket No. LE-2002-0314.02
(57507.D1)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Roger S. CANNON et al.

Application No. 10/801,319 (Divisional of 10/327,761 filed on 12/23/2002)

Filing Date: 03/16/2004 Confirmation No. 1998

Title: STATIONERY COIL OSCILLATOR SCANNING SYSTEM

Group Art Unit: 2872

RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53 (b)

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application Filed Under 37 CFR 1.53(b) mailed on June 1, 2004 (copy attached), Applicants enclose herewith copies of missing Figures 21-30 described in the specification. In addition, enclosed herewith are copies of the parent application 10/327,761 filed on 12/23/2002 together with 29 pages of original drawings, and the original declaration signed by all inventors. This original declaration was made by all the same inventors and covered the same specification, and included the same Figures 21-30 that were missing from the divisional application 10/801,319. Therefore, the enclosed original declaration attests to the inventors' declaration of inventorship of Figures 21-30, and constitutes a declaration in compliance with 37 CFR 1.63 and 1.64 referring to the missing figures.

Our check in the amount of \$130.00 is enclosed to cover the surcharge for the late filing fee. If our check is in the wrong amount or is entirely missing, please charge or credit any overage to our Deposit Account No. 12-2355. A duplicate copy of this letter is enclosed.

07/29/2004 FFANAI2 00000075 10801319

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Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By:

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7/27/04

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*** CERTIFICATE OF MAILING ***

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,319	03/16/2004	Roger S. Cannon	LE-2002-0314.02

CONFIRMATION NO. 1998

FORMALITIES LETTER



OC000000012836847

Date Mailed: 06/01/2004

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 21-30. described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

SCANNED

Resp To Notice of Omitted
Item(s) Due
DATE DOCKETED 8/1/04
ATTY: _____

Replies should be mailed to:

**Mail Stop Missing Parts
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A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

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